

Application No. 10/628,368  
Reply to the Office action of 01/18/2006

**Amendments to the Drawings:**

The attached new corrected drawing sheet includes new Fig. 6. This sheet, which includes only Fig. 6, is to be added following the original sheet including Fig. 4-5, and replaces the new Fig. 6 previously submitted on 11/10/2005 but not entered. In new corrected Fig. 6, the sensor 82 has been repositioned as suggested by the Examiner.

Attachment: New Sheet (Fig. 6)

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## **REMARKS/ARGUMENTS**

### **Drawings**

The drawings comprising new Fig. 6 as filed on 11/10/2005 were objected to for allegedly containing new subject matter, and therefore not entered. Particularly, the Examiner alleged that the precise positioning of the sensor 82 represented new subject matter, and suggested that the sensor 82 be repositioned such as to depict its position using a "black box" method. Accordingly, new replacement Fig. 6 as presently submitted has been corrected, as suggested by the Examiner, to show the sensor 82 at an indeterminate point between the counter-measure apparatus 84 and the oil passage 40 along the oil line, which has been shown with break lines on either side of the sensor 82. Therefore, the location of the sensor 82 has now been depicted more abstractly, as suggested by the Examiner. Reconsideration of the rejection of Fig. 6 as containing new subject matter, and therefore confirmation that Fig. 6 has been entered, is therefore respectfully requested.

### **Claim Rejections – 35 U.S.C. § 102 & § 103**

Claims 1-6, 8-10, 12-20, 22, 24 and 25 were rejected under 35 U.S.C. 102(b) as being anticipated by Weiler (US Patent 2,435,990).

Claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Weiler.

Independent claims 1, 13 and 25 have been hereby cancelled without prejudice, therefore the rejection thereof as being anticipated by Weiler is believed to be moot.

New independent claims 26, 31 and 36 have been added, and correspond substantially to claims 1, 13 and 25 as originally filed, with the addition of the subject matter of original dependent claims 11 and 23, also cancelled without prejudice.

The Applicant notes that the Examiner has indicated that claims 11 and 23 would be allowable if rewritten in independent form. Accordingly, Applicant looks forward to receiving notice that new claims 26, 31 and 36, which incorporate the subject matter of claims 11 and 23, will be held allowable.

Dependent claims 3-10 and 15-22 have been amended only to be dependent on new claims 26 and 31 respectively. At least in view of their dependence on claims 26 and 31, these dependent claims are also believed to be

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both novel and inventive over Weiler. Reconsideration of the rejection thereof is respectfully requested.

Dependent claims 2, 12, 14 and 24 have been cancelled without prejudice, for reasons unrelated to any objections raised by the Examiner relating to patentability.

New claims 27-30 and 32-35 are dependent on independent claims 26 and 31, and are therefore believed to be similarly novel and inventive over Weiler. No new subject matter has been added. Support for new claims 30 and 35 can be found in paragraph [0027] of the specification as originally filed.

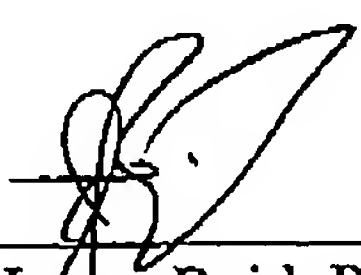
The Applicant believes that all claims as presently submitted are now patentable over Weiler. Reconsideration of their rejection is therefore respectfully anticipated.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully,

April 13, 2006

Date

  
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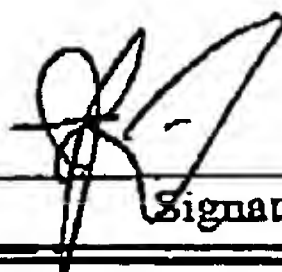
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